

**Remarks**

Claims 1 to 17 inclusive are being prosecuted.

By this amendment the disclosure has been amended to describe in words what is clearly apparent from any of Figures 2a, 2b, 4 or 8 by the additions to pages 1, 2 and 3 above and what is clearly indicated in for example the paragraph beginning on page 3 line 24 which includes the statement

"This reorientation and raising of the user 24 higher 24 above the water level 28 is primarily due to the effects of side or lateral buoyancy areas 14A and 16A which as is clearly apparent in use extend under the arms of the user and have a portion at the back of the user (see Figures any of 2a, 2b, 4 and 8) and to a lesser degree by the rear buoyancy area 12A." (underlined portion added by the present amendment)

which clearly states that the side or lateral buoyancy areas 14A and 16A play a significant roll in "reorienting and raising the user"

It is believed these changes to the written text of the disclosure do not add any new matter i.e. matter not inherent in the application and/or reasonably inferred from the specification as originally filed.

Claims 1 and 2 have been amended to better distinguish the present invention from the prior art by defining inherent differences in structure between the present invention and the prior art. Claim 1 now clearly defines the fact that the device of the present invention has portions position to ensure the user floats in a more upright position than would occur if a conventional or known similar floatation device were being used (the opposite effect to that required by Sabo – see below). Claim 2 as amended clearly defines the orientation angle  $\beta$  of user being floated as being between 45 and 90 degrees as described specifically in the specification

Reconsideration of the rejections of claims as currently amended 35 USC §103(a) by the combination of Baker and Sabo (or Bateman and Sabo) is respectfully requested in the light of the following.

Baker and /or Bateman discloses a floatation device (life jacket) with a rear portion that extend all the way down the back to about the waist of the user which simulates one portion (back 104) of the present invention, however the neither the floatation device of Baker or that of Bateman when laid out in flat condition is W-shaped as defined in claim 1 by the limitation

"said central portion and said pairs of front and lateral portions forming a simulated W-shape when viewed in a plan view"

This W-shape is important to the present invention.

The Sabo reference shows lateral projections extending from the front portions. These lateral projections or lobes as they are described by Sabo appear to extend partway under the arms, however in reviewing the text it appears they are only on the "front" of the wearer see the paragraph beginning at column 2 line 47 and particularly lines 56 to 62 reading

"and a torso portion<sup>23</sup> integral and merging with and projecting outwardly away from the segmental collar portions<sup>21</sup>, 21 at their front end region for fitting against the front part of the wearer's neck and for positioning lengthwise of the wear's torso *at the front only thereof*" (emphasis added)

and column 4 lines 51 to 54 reading

"The divided torso portion 23 may be of elongated form and extends from the collar portions 21, 21 at their front end regions downwardly *along the front but not the sides of the wearer's torso to about the region of his hips*, and terminates at its lower end in opposed latterly-extending projections 43, 44 which may be lobes of rounded form---" (emphasis added)

and further in the paragraph beginning at column 8 line 36 it is stated

"each has its center of buoyancy at and somewhat above the front of the wearer's torso *so that the wearer is compelled to float upon his back* -----" (emphasis added)

clearly indicating

A) the front portion (torso portion is not intended to be anywhere except on the front of the wearer and

B) it is the intention of Sabo to make the user float on his back. Sabo's invention has the opposite effect to that required and obtained when using the present invention which causes the user to float in a more upright orientation.

By the current amendments applicant has limited the broadest claim to include the limitation

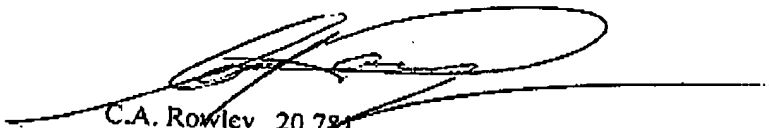
"each of said lateral portions projecting from its front portion a distance sufficient to extend under an adjacent arm of a user and provide a portion of said lateral portion positioned behind said user so that the user is floated in a more upright position than when a similar conventional buoyancy device is being used."

This added limitation and the structure being defined were clearly supported by the disclosure as filed as discussed above and provide a clear line of demarcation over the combined teachings of Baker and Sabo (or Bateman and Sabo).

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It is believed that this application is now in condition for Allowance and such action is respectfully requested.

Respectfully submitted,



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